

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GREATER NEW YORK MUTUAL INSURANCE
COMPANY,

Plaintiff,

- against -

CONTINENTAL CASUALTY COMPANY,

Defendant.

19-cv-3268 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

In the memorandum of law in support of its motion for summary judgment, the defendant argues that "GNY admits that there is at least one allegation triggering a duty to defend under its Policy." Dkt. No. 22 at 10.¹ In the memorandum of law in support of its cross motion for summary judgment and in opposition to the defendant's motion for summary judgment, the plaintiff claims that the "GNY Policy only provides coverage in this matter for the allegation of potential damage to property." Dkt. No. 26 at 13. In the reply memorandum of law in support of its cross-motion, the plaintiff states that "CNA does not appear to dispute that the only covered claim under the GNY Policy is the allegation of damaged property." Dkt. No. 30 at 8.

The parties are directed to file supplemental briefs, not longer than 3 pages each, discussing whether it is disputed that

¹ The page numbers refer to the ECF page number included in the file stamp at the top of each page.

the only allegation in the underlying complaint that is possibly covered under the plaintiff's policy is the allegation of property damage. The supplemental briefs are due by **August 10, 2020** and any replies are due by **August 12, 2020**.

SO ORDERED.

**Dated: New York, New York
August 4, 2020**

/s/ John G. Koeltl
John G. Koeltl
United States District Judge